

himself, by actual observation, that there was a river, and so assured Vancouver, whom he soon after met. Vancouver denied that there was such a river in the latitude, and as described by Gray; because he himself had navigated the Pacific coast from 54 1/2 degrees southward, and had kept in sight of the land the whole course with a view to the discovery of bays, inlets, and rivers, and that when, at night, he was obliged to put to sea, he always returned to the same place in the morning, and within full sight of the coast. Mears had made the same statement, and had used the same caution, and with the same effect. Captain Gray renewed his effort to enter the river in question, and on the 11th day of May, 1792, again returned to it, and succeeded in entering its mouth, sailed up it some distance, where he remained for several days trading with the natives. Captain Gray gave names to every thing worth naming about the mouth of the river, by which names they are known to this day, and always will be. The noble river he called Columbia, after the ship which bore him into it.

Captain Gray was the first white man that ever saw or entered the Columbia river; this no man will deny, who has a reputation for truth and veracity; we know it by the report of Captain Gray; all Christendom knew it at the time; and no one has ever seriously attempted to strip Captain Gray of the honor and glory of his discovery, until in some of our late conventions for the negotiation of Oregon, the British ministers had brandished a title to the use and occupancy of Oregon, founded upon the discovery of the Columbia river by Vancouver. How ungenerous, how unjust! Hear what Vancouver says himself of Gray's discoveries. He says that in April, 1792, he observed a sail, which soon hoisted American colors, and fired a gun to leeward; she proved to be the ship Columbia, commanded by Capt Gray, a citizen of Boston, from which she had been absent nineteen months. Vancouver sent a boat to the Columbia. Capt. Gray informed the officer who visited him that he had visited the inlet which De Fuca had discovered; that he had sailed fifty miles into that inlet. He likewise informed them that "he had been off the mouth of a river in latitude 46 degrees 10 minutes, where the outlet or reflux was so strong as to prevent his entering for nine days." Vancouver adds: "This was probably the opening passed by us on the forenoon of the 27th, and was apparently inaccessible—not from the current, but from the breakers that extended across it." Vancouver subsequently admits that Gray discovered the Columbia. He says, after leaving Nootka, the weather being fine, on his way south he was encouraged to re-examine New Albion (Pacific coast), and particularly a river and a harbor discovered by Mr. Gray in the Columbia, between the 46th and 47th degrees of north latitude. In this we have an open and candid acknowledgment, by an officer of the English navy, that Capt. Gray, of the ship Columbia, was the discoverer of the Columbia river; and yet with this historical information in the British ministry, they will brandish a title to the Oregon Territory, founded upon the discovery of Vancouver, who informs them that Gray was the discoverer!

Then, sir, Oregon is ours by discovery.—The laws of nations secure the right, and we are able to maintain the possession. It is ours to the full extent of the boundaries defined in this bill. We discovered the river Columbia, and that river drains the entire territory which this bill describes; for a fundamental principle of national law secures to the discoverer of a river in a desert land all the country it drains.

[To be continued.]

For the Kalida Venture.

Mr. Editor: We send you the annexed communication in answer to a communication which appeared in the Defiance Democrat, under date of February 25, 1845, over the signature of Sidney S. Sprague; and which communication we send to you and request you to publish, and to which we were not permitted to reply through that paper. The personalities contained in that article are principally directed to Wm. D. Haymaker; but as we are all alike implicated as signers of the petition, and believing that the communication of Judge Haymaker will satisfy all impartial men that the charges in said petition are true, we fully endorse the same, so far as it has a bearing upon the truth or falsity of those charges, and sincerely hope that you will publish the same that we may be enabled to make "amends" to the Honorable Colonel Sidney Smith Sprague for our "dishonorable and dishonest conduct;"—and in doing so, you will do justice to us which we are denied through Col. Sprague's organ. We should not have sent this communication to you for publication, could we by any possible means have obtained a hearing in the Defiance Democrat; but justice to ourselves and to community demands that we should reply to Col. Sprague's article—and we have no other means left us than to claim the publication from you as a favor, which we were entitled to demand from the Democrat as an act of justice.

Defiance, March 10, 1845.
EDWIN PHELPS,
BRUCE HILTON,
JONAS COLEY.

For the Defiance Democrat.

To the Public.

In a late number of the Democrat, I was made an object of the grossest and most ungentlemanly attack from Colonel Sidney S. Sprague. Did the subject matter of that attack relate only to matters between myself and the renowned Colonel, I should leave the matter where he has left it, depending entirely upon the intelligence of the community in which we live to judge of the character of the accusation, and the object of the accuser. But the petition to remove the Col. from the office of Road Commissioner, which he has copied, and of which he speaks so freely, was signed by many of the most respectable citizens of our community. Many, and I may say all of them are in point of moral standing, as far above the

Col. as the heavens are above the earth; and I shall not allow myself to shrink from my duty to them and the public at large, by permitting this abomination of anger to pass by without a complete refutation, and a full substantiation on my part of the charges made in the petition referred to. I claim this to be not only my duty in this matter, but I claim it as a right, which every citizen ought to enjoy among the privileges of the "Liberty of the Press," to answer in the same public journal any personal attack which may be made against him; and I claim further that I am entitled to as free use of language as him who attacks me, without incurring censure from community for throwing back the weapons with which I am attacked. I have been advised by some of my friends, that the public and private character of S. S. Sprague was so well known in this community, that neither myself, nor the others who signed the petition, nor even any other person, could suffer from his abusive tongue. But I ask pardon from such of my friends as may think so, and beg of them the privilege of allowing me for a few moments, to consider "the" insignificance of the accuser as lost in the magnitude of the accusation.

There are several, and some of the most important charges in that petition, which the Col. does not attempt to deny. The first among the reasons stated in the petition to remove Col. Sprague, is; his total disregard of the 10th Sec. of the act to establish said road, which requires the Com's to make out and publish a statement of the receipts and expenditures on the road, in the month of January, annually; and also to deposit a copy thereof with the Auditor of each county through which the road passes. The entire truth of this charge is not denied or even palliated by the Col. in his communication. But it is exceedingly amusing to see what a shallow attempt at an excuse is made in the remarks of the Col. appended to the exhibit of the receipts and expenditures of the Ottawa, Defiance and West Buffalo free turnpike road, for the year A. D., 1843, published by the Col. and Lloyd, Jan. 14th, 1845. "To comply with the strict letter of the law in that particular," you say, "is impossible;" for the reason that settlements cannot be had with the county Treasurer, until after the annual settlement of the Co. Treasurer with the Co. Auditor; and there being four Co. Treasurers to settle with, you cannot settle in general until they return from Columbus. Now I ask the public, (that same "generous public") to examine this excuse, and first let me ask them, what the settlement between the Auditor and Treasurer has to do with the settlement between the Road Com's and Treasurer. I admit that the Com's cannot without some trouble ascertain how much cash will be paid them by the Co. Treasurer; but nothing more; after paying themselves and their agents upwards of fifty dollars for managing a fund of about 1100, cannot they tell how many orders they have given, and how many receipts they have signed, and the amounts, and where and for what they have been expended? Had you received nothing—expended nothing—up to, and during the month of January, 1844? and if you had, did you keep your matters at such loose ends that you could not make and publish an exhibit of them until you seen and settled with the Treasurer of the county, and saw how the matter stood between you and him? and did you not get the receipts and expenditures of 1843 so straightened up that you could publish them until Jan. 14th, 1845? It will take a "generous public" a very generous public to believe you, that in this particular of your official conduct you have done nothing "by which censure may be implied;" especially when you neglected to publish the account until after the petition setting forth these facts had been circulated for weeks in your neighborhood, and you having a copy of it

and the petition finally sent off to the Legislature for their action, until after the lash had been sufficiently applied to cause you to write under the pain of the infliction; then, and not till then, did you publish any account of your receipts and expenditures. Then just as you were about to start off to Columbus with the affidavits of a few weak minded men who feared the displeasure of a man without principle to patch up your official misconduct, you published your exhibit. If you had done as well as you were able with the exhibit of 1843 how does it happen that you promise to do so much better with the exhibit of 1844? You said you would have it ready by the 20th of February; eleven months sooner than the expenditures of 1843. Have you increased so much in clerical skill and business capacity to be able to manage a much larger fund in 1844, and bring it to a settlement eleven months sooner? you promised to publish it as soon as possible and you did not doubt but what it could be effected by the 20th of February; and you took your exhibit and promise on with you to Columbus, yet you have failed; the month of January is past and no report, the 20th of February is past and yet no report. These delays are dangerous—you fell into several errors by delaying the exhibit of 1843 so long. You exhibit among the expenditures of 1843 \$150,000,00 expended in Defiance township, you had forgotten that Langdon and Webb performed all the labor which was done in Defiance township in 1843 in grading a little hill, worth perhaps \$10, for which they received a road certificate to pay their tax—no money. I don't know how many mistakes you made in other townships—so much in this. You exhibit \$27,000 as paid on contract in Henry Co. in 1843; you had let this matter lie so long that you had forgotten that this was not paid on that contract in 1843, that you had not let a contract in that County in that year, that the contract on which that was paid was not entered into until about the first of Jan. 1845; small mistake that Col. More about that \$27,900 hereafter. I really think you had better make this exhibit sooner, your memory would have been better.

The second reason in the petition why Sprague ought to be removed, was because he had used the funds of the road for his own private purposes, and that he had so held and used them when they were due to contractors, and without the consent of the other trustee. He says in this respect I have "lied most foully in my throat;" such language is unworthy of any gentleman, and a severe application of a raw hide would be perhaps the most effective remedy; but Dr. Franklin says that we should never resent the lie, because no gentleman will give it. I will, therefore, go to the proof and the facts. A few days previous to the session of the court in this county, in Sept. 1844, Sheriff Gillaspie called upon Col. Sprague for the amount of an execution against him of about \$140, on which specie had been demanded by Pliffs. Atty. The Col. told him that he expected to receive a sum of money in specie from J. P. Wyatt at Bryan when he went out to Court, and would then pay it off. Now, Col., I want to ask you a few questions, and would advise you to walk up like a man and confess the truth, and save your friends the mortification of making a public statement of the whole matter, as they have very reluctantly made a verbal statement. Did you not draw one hundred and thirty-two dollars—cts. in specie from the Co. treasury, of funds belonging to the Ottawa, Defiance and West Buffalo free turnpike road, on the first day of the term of the last Sept. Court, and carry the same in a pocket handkerchief to J. P. Wyatt's store, and receive from him ten dollars,—and no more—then carry it to Langle's hotel and guard it through the night, and in the morning request Martin Thrall to pay it over to the Sheriff? and after being relieved from your charge, did you not express your joy, and say you hoped that it might cause G. W. B. Evans as much care as it had you? and was you not present when the money was so paid over to the Sheriff? Col., the circumstances here referred to were matters of public notoriety immediately after they occurred, and I heard it remarked by a number of persons during the Court, that it was very convenient to have public funds to pay off such claims, especially when the specie was demanded. Now, Col., when did you replace this money and apply it to the purposes of the road? In your report you represent it as having been expended in 1843; but, Col., that is another mistake of yours. Did you not credit it to the account of Noble & A. Haymaker for goods you sold them last fall, and get their receipt for it on their contract, about the time you were fixing up your patch work to go to Columbus this winter? Yet by the report it was expended in 1843! Does not this look like using the money for private purposes?

Further, this \$27,900, expended in Henry County, in 1843. This contract in Henry County was made Jan. 1845, between Sprague, or the Road Com's, and McCully & Herrin. Sprague had an old debt against Herrin for this amount, of \$27,900, which it was rather difficult to collect, and required McCully & Herrin to receipt on the contract for the amount of that account, at the time the contract was signed, and before any of the work had been performed. And this the financiering Col. calls advancing to poor contractors, to enable them to go on with their works. It looks to me very much like using the funds of the road for the purpose of collecting bad debts, especially when this money is exhibited as having been expended in 1843. Magnanimous Col. Sprague! not to charge any thing for services which have been so very beneficial to the road. "The fund has been managed with the most rigid economy, and whenever contracts could be let to advantage, the Commissioners have always embraced the opportunity." True, O, Colonel! This part of your report is true indeed!

In relation to the 3d reason stated in the petition, why Sprague ought to be removed, I have only to say that at the earnest solicitation of Noble and A. Haymaker, I assisted Col. Sprague in drawing the plan and specifications for the bridge, and was present when the contract was made and knew that Lloyd's name was not used in the contract in any manner. Sprague stated to me that he had not consulted Lloyd on the subject, for the reason that he knew that he would oppose it. It is notorious that Lloyd disclaimed having any thing to do with that contract; that he had not been consulted in the matter; that he was opposed to building the bridge at that time; that he thought that other parts of the road needed the money much more. This contract was not signed by Lloyd until just as Sprague was preparing to make his defence at Columbus. In relation to there being a bridge convenient and safe to cross, I have only to state that there was a good substantial bridge a few rods above. It is true that the west abutment had been settling for some time, which made it necessary to place a single "beam" at that end, which I had contracted to have done for the sum of \$25,000, and the materials were prepared and ready to be put in when the new bridge was put under contract. I so informed Sprague before he contracted for building the new bridge. I was opposed to building the new bridge at that time, and so I expressed myself to Col. Sprague, and gave him my reasons, which were—1st, That the funds of the road were insufficient, as the commissioners had already placed more work under contract than the receipts for that year would pay; 2d, That the toll bridge would answer the purpose for several years, and other parts of the road were impassable, and needed the money much more, the truth telling Col. to the contrary notwithstanding.

The next reason assigned in said petition, and to which Col. Sprague takes exception, is that the trustees have appropriated "as they say" \$2 per day while locating the road and superintending the same, to themselves for their services. This Col. Sprague has denied.

Now to the proof, from the report itself;

and it should be recollected that this report was produced after the charge was made in the petition, and evidently intended, as far as possible, to screen their official misconduct. Yet from this report made under these circumstances, we gather the following facts: The whole amount paid Commissioners and agents is \$114,20. The "amount paid E. Lloyd, Com. expenses," in locating road \$31,50, about two dollars per day, provided it took 16 days to locate the road. Amount paid the surveyor (who by law is entitled to \$2 per day,) \$34,87. Now supposing it took the surveyor a day or two extra time to make out his plots and returns, and we find that about 174 days for the surveyor will make \$2 per day for him, which comes very near proof, that in one instance, at least, a trustee has charged and allowed \$2 per day to himself. I do not know what time was employed in locating the road, but it is fair to presume from the well known character of the surveyor, that he charged just what by law he was entitled to, and no more; if so, then the trustees, or some of them, have charged the same price, when by law they were entitled only to "their reasonable expenses, and no more." The further amount of \$22,07, Road Com's expenses, paid E. Lloyd, gives Lloyd 11 days at \$2 per day, in managing the fund for the year 1843. If he was necessarily employed more than 11 days in 1843, then he has charged less than \$2 per day; if less than 11 days, then more than \$2 per day. So much for the truth or falsity of that charge in the petition. Now, Col. Sprague, does the foul lie stick in your throat or mine?

But further: the magnanimous, disinterested, patriotic Col. Sprague, who never sought the office, has charged nothing! He was with the other Commissioners from Powell's Creek into Defiance and across the Defiance bridge, for the sole purpose of locating the road in such a manner as to enhance his property to the amount of at least 500 dollars, even at the expense of trespassing upon the rights and property of others, are for nothing. He has benefited himself 500 dollars without charging the road \$2 a day for it. Make the most of Col. Sprague's services as Commissioner on said road and exclude the time he employed in electioneering for the office and on the strength of his office and he cannot show that he has spent in the year 1843 more than 4 or 5 days in the discharge of the legitimate duties of his office. And yet how strange it appears that after the petition to remove the Col. for the foregoing reasons, and how large amounts were due to contractors, the sum of \$9,49 should be found unexpended in the hands of the Commissioners, which at the rate of 2 dollars per day, would have paid Col. Sprague for his 4 or 5 days work in locating said road, and in managing the fund. The "application of the lash" has been productive of some good at least. I have now done with the reasons of the petitioners for wishing the removal of Col. Sprague, and I leave that matter for an enlightened public to say whether those reasons were not well founded, and whether it was not the duty of these petitioners to effect his removal if possible; and whether an honest and faithful discharge of the duties of his office, even at the rate of 2 dollars per day, would not have been better for the public, than to have the funds of the road applied to the payment of the Col's creditors or the collection of his bad debts.

It only now remains for me, in a very brief manner, to notice some of the low billingsgate which has, "with extreme delicacy," issued from the Col's gangrened stomach, "compelled by a sense of justice to himself and community." "He does not entertain feelings of hatred and revenge against the petitioners." No! no! every word of his production shows that such feelings have never entered the habitation of his pure mind. He only supposes that some of the petitioners entertain a slight feeling of envy and jealousy against this heaven-favored individual! Who would not envy the private character of S. S. Sprague? Beloved and respected by all who know him, on account of his sterling integrity and great moral worth; nor are his private virtues at all equalled by his much more resplendent public virtues—the great conservator of the peace!—a perfect model of political integrity! bright example for old and young to imitate! Who would not be envious—who would not be jealous? He does not expect to wound the feelings or reach the consciences of such men as Haymaker and Hilton; no, you are right, Colonel—our feelings can never be moved in the least by anything you could say. No feelings but those of pity could be excited by any of the ravings of blasted hope and disappointed ambition.

The Col. says that charges in the petition were made to remove him from petty office which he "never sought." The Col. forgets that while the bill was pending before the House he went to G. C. Mudgett who introduced it and had it in charge and by his own earnest solicitation with said Mudgett prevailed upon him to strike out the name of Roswell Cheney and insert in its place the name of S. S. Sprague, as trustee on said road. In the multiplicity of business the Col. gets very forgetful, and it might not be a work of supererogation to add a few grains of moral honesty to the Colonel's composition. It might have the effect to improve his memory which has become so exceedingly treacherous, and he may possibly sink into an "uninterrupted course of rascality" unless some remedial influence be applied. The calm beating of the Colonel's pulse appears to have been slightly disturbed because the petition was signed by a few honest Germans; and this truth loving Col. in his communication says, "I now assert as I have heretofore done, and am prepared to prove by said Germans, that they did not understand the contents of the petition, only as you W. D. Haymaker basely and falsely instructed them." This is only one of the many base falsehoods the Col. has uttered, by imputing to others the same crimes that are uppermost in his own mind; and the reader is referred

to the affidavits of those same Germans appended to this article in order that they may see the "slough of infamy" into which the Col. has cast himself. And when the Col. looks one of those honest Germans in the face will not his conscience tell him that he is a debased scoundrel? I am informed that "at a more convenient time he will attend to my case to my full satisfaction." Will the Col. be so good as to enter upon that business at his earliest convenience? You have already had many lessons that delays are dangerous and productive of nothing but chagrin and disappointment. You are no coward, Col., no, not you!—the dirk and pistols which you have continually about your person are an evidence that you possess that true and exalted courage, which elevates your moral character, and renders you a fit companion for men of exalted intellect, and prevents you from "digressing" from that strict sense of dignity which every gentleman ought to sustain."

The Col. very significantly informs us that he will continue to discharge the duties of Road Commissioner until the road shall be completed. Now if the Col. had called to mind how many mistakes he had fallen into within the last few months, how many fond schemes of ambition had been swept away as it were in a moment; it might possibly have entered into his mind that there might be some little doubt about this matter. Now Col. I have done with the petition and the gross blackguardism with which you have assailed me: be assured, sir, that all the darts of malice, hatred and ill-will, have fallen harmless at my feet. It is infinitely beyond your ability to injure me in any community where you are known or in any community who can have the means of knowing your public and private character. I shall never regret having incurred your ill-will, but rather have occasion to rejoice. Now, sir, look within your own heart, and examine that depot of every base passion; behold yourself in community, with your vain attempts to brave the scorn and contempt of all honorable men: Look through what a storm of public indignation you have been vainly endeavoring to effect your ambitious and dishonest purposes. Alas! you are surrounded by enemies which your base and infamous conduct has created; and you are sinking, fast sinking, in spite of all your efforts, into that gulf of infamy from which nothing but a thorough reformation and a continued course of honorable conduct can extricate you. My only hope is, that you are still capable of so doing, and if these remarks shall have any tendency to bring about so beneficial a result, the object of them will be fully accomplished.

W. D. HAYMAKER.

The State of Ohio, Williams County, ss:

Defiance Township.—On this 8th day of March, A. D., 1845, before me, Israel P. E. Whedon, a Justice of the Peace in and for said county, personally appeared Henry Vernean, Christian Lehman, John J. Kughu and Joseph Kler, and being by me first duly sworn deposed and said, that they signed or caused to be signed their names to a petition to the Legislature for the removal of Sidney S. Sprague and Elijah Lloyd from the office of trustee of the Ottawa, Defiance and West Buffalo Turnpike Road: That previous to signing said petition, we had not been requested to do so by W. D. Haymaker, nor had he said anything to us on the subject. We each of us state in relation to ourselves.

HENRY VERNEAN,
CHRISTIAN LEHMAN,
JOHN J. KUGHU,
JOSEPH KLUR.

Sworn to and subscribed before me the day and year above written.

ISRAEL P. E. WHEDON, J. P.

Not being present at the making of the above affidavit, I now state that the facts set forth therein, are true in regard to my signing the petition referred to.

CHARLES SPEAKE.

COMMUNICATION OF S. S. SPRAGUE

To the Public.

From the Defiance Democrat.

It is with extreme delicacy, that I am at this time compelled by a sense of justice to myself as well as community, to appear in a public journal, not that I entertain any feelings of hatred or revenge against the individuals who have subscribed the following petition; but in order to expose the utter recklessness and infamy of men, whose better feelings are triumphed over by envy and jealousy, that the public may in future be able to guard more effectually against the secret attacks of men, who are too cowardly to face an adversary, or make amends for dishonorable and dishonest conduct.

[The petition is omitted, because its purport will have been understood by the reader of the communication of Judge HAYMAKER.]

It is not that I expect to wound the feelings or even to reach the consciences of said Haymaker and Hilton, that I lay before the public the above petition, notoriously false, for any language I am qualified to use could not in any way affect the man, whose conscience is so callous with an uninterrupted course of rascality, that any attempt to vilify said Haymaker would be supererogation.

The above charges in the petition is but a supposal, and said Haymaker and Hilton knew when they subscribed to them, that they could not be sustained by any shadow of proof; but they were instituted and uttered as falsehoods against me, in order that I might be removed from a petty office, which I never sought—received, nor charged one cent of pay for my services, for the sole reason that I would not be flattered or driven from a strict course of duty required by the discharge of the functions of my office, as Road Commissioner. The crime of falsehood and deception practised upon a few honest Germans, in order to obtain their signatures to the list of false charges contained in the petition, is not to be compared with the repetition of the more base lies to obtain the signatures of said Germans to another paper, setting forth that they well understood what they signed, and that they believed the charges to be true, as subscribed to by them in the petition.

I assert now, as I have heretofore done, and am prepared to prove by said Germans, that they did not understand the contents of